

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

TELLER, an individual,

2:12-CV-591 JCM (GWF)

Plaintiff(s),

V.

GERARD DOGGE (p/k/a Gerard Bakardy) an individual,

Defendant(s).

ORDER

16 Presently before the court is plaintiff Teller's emergency motion to strike. (Doc. # 199). *Pro*
17 *se* defendant Gerard Dogge has not filed a response in opposition.

18 In the instant motion, Teller alleges that Dogge refuses to appear in person at trial, which is
19 set for June 2, 2014. Teller also claims that Dogge has failed to make several required pretrial
20 disclosures. For these reasons, Teller requests that the court strike Dogge's answer to the complaint
21 and enter default in Teller's favor.

22 Though the court is not inclined to enter judgment without allowing Dogge to have an
23 opportunity to defend himself at trial, case-dispositive sanctions may be necessary if Dogge does not
24 comply with pretrial disclosure requirements. The court has granted a significant amount of leeway
25 to Dogge given his status as a *pro se* litigant, but will not allow his inexperience with the law
26 interfere with Teller's ability to present his case effectively.

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1 The court also admonishes Dogge that he will not be allowed to appear at trial telephonically.
2 In order to guarantee fairness in this matter, all parties must appear in person.

3 Therefore, the court will deny Teller's motion at this time, but will order that Dogge fulfill
4 all pretrial disclosure requirements within seven days. Additionally, Dogge will be required to file
5 an affidavit within seven days regarding his intent to appear in person at trial, set for June 2, 2014.

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiff Teller's motion to
8 strike, (doc. # 199) be, and the same hereby is, DENIED without prejudice.

9 IT IS FURTHER ORDERED that defendant Dogge shall disclose to plaintiff Teller, within
10 seven days of the entry of this order, all witnesses and exhibits he intends to present at trial.

11 IT IS FURTHER ORDERED that defendant Dogge shall file, within seven days of the entry
12 of this order, an affidavit indicating that he has made all required pretrial disclosures and addressing
13 his intent to appear in person at trial.

14 DATED May 16, 2014.

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17 UNITED STATES DISTRICT JUDGE

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